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PETITION FOR A NEW FILING DATE

The Furniture Doctor
102 Lloyd St
Carrboro, NC 27510
8/6/01

ATTN: Office of Petitions
Commissioner for Patents
United States Patent and Trademark Office
Washington, DC 20231

re: Petition under 37 CFR 1.182, Fee under 37 CFR 1.17(h) & Supplemental Oath under 37 CFR 1.163 & 1.164.

APPLICATION NO. 09/848,666

CONFIRMATION NO. 7794

FORMALITIES LETTER

Dear Sir/Madam:

This petition under 37 CFR 1.182 is in response to the above Notice of Omitted Item(s) in a Nonprovisional Application, and is a petition to give a new filing date for the above-mentioned application, which was missing page 8 of the specification. Enclosed with this petition is the page number eight (8) which your letter of 6/28/01 indicated was missing from the patent application referred to above. Also enclosed is a check for \$130.00, as the required fee under 37 CFR 1.17(h), and a supplemental oath in compliance with 37 CFR 1.63 and 1.64. Please assign a new filing date to this application.

If there is anything more you need from us, please do not hesitate to contact me at (919) 602-

8002, collect if necessary.

Thank you in advance for your cooperation in this matter.

Sincerely yours,

A handwritten signature in cursive script, reading "Michael G. Kinnaird". The signature is written in dark ink and is positioned above the typed name.

Michael G. Kinnaird, Ph.D.

05343666-031601



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D C 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/848,666	05/04/2001	John Clifton Mason	TFD-001

CONFIRMATION NO. 7794

FORMALITIES LETTER



OC000000006240943

John Mason
The Furniture Doctor
102 Lloyd St.
Carrboro, NC 27510

Date Mailed: 06/28/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 8 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if

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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Figure 1 consists of 12 horizontal bar charts, each representing a different fish species. The species are listed on the left: 1. Yellow perch, 2. Rock bass, 3. Striped bass, 4. White perch, 5. Atlantic croaker, 6. Bluefish, 7. Weakfish, 8. Spot, 9. Flounder, 10. Atlantic tomcod, 11. Atlantic silverside, and 12. Atlantic herring. Each chart has a y-axis labeled 'Percentage of total catch' ranging from 0 to 100. The x-axis represents the months from May to April. The bars show the percentage of total catch for each species in each month. For example, Yellow perch (1) has a high catch in May and June, while Atlantic herring (12) has a high catch in December and January.